IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 7670 of 2004

Between:

Farheen Fatima Khan, d/o Faiq Azam Khan,
12-2-831/65, Mahdipatnam, Hyderabad-28

..... PETITIONER

AND

1 The Registrar, J.N.T.U., Kukatpally,
Hyderabad.
2 The Coordinator, Admissions,
J.N.T.U., Kukatpally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents not allotting admission to M.Tech. (SSS) in J.N.T.U., Kukatpally Constituent college in the place of a seat or admission converted to open category from Handicapped category and allotting such seat to the person in the waiting list without considering petitioner's candidature in second round of counselling even after request is illegal, arbitrary and violation of University rules and regulations, consequently direct the respondents to admit the petitioner into M.Tech. (S.S.S.) for the academic year 2004-2005 at Kukatpally JNTU Constituent College in the seat fell vacant out of conversion from Handicapped instead of allotting Ananthapur JNTU Constituent College

Counsel for the Petitioner: MR.KOONA REDDY ANJI REDDY(not present)

Counsel for the Respondents: Mr.C.KODANDA RAM

The Court at the admission stage made the following ORDER:

None appears for the petitioner.

Petitioner, who appeared for the entrance examination of M.Tech with Hall Ticket No.160059 and secured rank of 72, attended the counselling that took place on 20.03.2004 and got admission in Ananthapur JNTU Constituent college. Since one handicapped seat fell vacant, as a result of non-availability of candidates, and since the seat was converted into open category, second round of counselling was conducted, in which, without considering the request of the petitioner for sliding process for admission into JNTU constituent college, Kukatpally, the respondents gave admission to another person, who is in waiting list. Aggrieved by the same, the petitioner filed the present writ petition.

Per contra, the first respondent filed the counter-affidavit stating that since no physically handicapped person is qualified, the same seat was allotted to the open category candidate with rank No.50. It is further stated that the rank of the petitioner is 72 and she was allotted a seat in Ananthapur in the first round of counselling, but she did not want to join in the said college. Therefore, considering the candidature of the petitioner for the admission into JNTU constituent College, Kukatpally in the second round of counselling, does not arise.

Having perused the material available on record, it is seen that since no physically handicapped person is qualified in the first round of counselling, the said seat was converted into open category and was allotted to the person who secured rank No. 50, in the second round of counselling. As the petitioner secured rank No. 72, I am of the view that she cannot complain that her

request for admission into JNTU Constituent College, Kukatpally was not considered by the respondents.

The writ petition is accordingly dismissed.

11.10.2004

ksld

To

1 The Registrar, J.N.T.U., Kukatpally,
Hyderabad.
2 The Coordinator, Admissions,
J.N.T.U., Kukatpally, Hyderabad.

3 Two CD copies.